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PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/072,272	
	Filing Date	February 6, 2002	
	First Named Inventor	H. Andrew STRONG	
	Art Unit	1617	
	Examiner Name	S. Sharareh	
Total Number of Pages in This Submission	3	Attorney Docket Number	273012012500

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ENCLOSURES (Check all that apply)		
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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Karen R. Zachow, Ph.D. - 46,332
Signature	<i>Karen R. Zachow</i>
Date	November 3, 2003

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Dated: 11-3-03

Signature: *[Signature]* (Michael Boyd)



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November 3, 2003

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November 3, 2003  
Date

  
Steven L. Highlander

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: *U.S. Serial No. 09/852,587 Entitled: "PREVENTION OF INSULIN-DEPENDENT DIABETES, COMPLICATIONS THEREOF, OR ALLOGRAFT REJECTION BY INHIBITION OF CYCLOOXYGENASE-2 ACTIVITY" by Tahereh Tabatabaie et al.*  
(Client Ref. 2000-004-002)  
Our Ref. No. OMRP:008US / Matter No. 10112237

Enclosed for filing in the above-referenced patent application is:

1. Response to Restriction Requirement Dated October 3, 2003;
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/OMRF:008US/SLH.

  
Very truly yours,

Steven L. Highlander

SLH/cpj  
Encl: As noted

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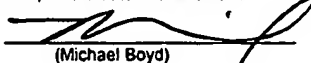


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Dated: 11-3-03 Signature:   
(Michael Boyd)

Docket No.: 273012012500  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
H. Andrew STRONG et al.

Application No.: 10/072,272

Filed: February 6, 2002

Art Unit: 1617

For: PHOTODYNAMIC THERAPY OF OCCULT  
AGE-RELATED MACULAR  
DEGENERATION

Examiner: S. Sharareh

**RESPONSE TO THE RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action (Restriction Requirement) dated October 3, 2003 (Paper No. 6), for which a response is due November 3, 2003. Accordingly, this response is timely filed.

Claims 1-19 are pending in the above-identified application. The Office has required an election of a single disclosed species of photosensitizer and a single disclosed species of carrier system. Accordingly, Applicants hereby elect the photosensitizer of BPD-MA and the carrier system of liposomes. Applicants request that, upon allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. § 1.141(a).

sd-168726

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 273012012500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 3, 2003

Respectfully submitted,

By Karen R. Zachow  
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